

## Message Text

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ACTION ARA-15

INFO OCT-01 ISO-00 ONY-00 /016 W  
-----081844 112057Z /70

R 111930Z SEP 78  
FM AMEMBASSY ASUNCION  
TO SECSTATE WASHDC 3954

LIMITED OFFICIAL USE SECTION 1 OF 3 ASUNCION 3915

FOR ARA ONLY

E.O. 11652: NA  
TAGS: SHUM, PA  
SUBJECT: HUMAN RIGHTS REPORT FOR PARAGUAY

REF: STATE 215083

1. SETTING.

PARAGUAY, THE SIZE OF CALIFORNIA WITH A POPULATION OF 2.5 MILLION IS PREDOMINANTLY AN AGRICULTURAL COUNTRY. THE CENTRAL GOVERNMENT MAINTAINS CONTROL THROUGH THE EXTENSIVE NETWORK OF THE RULING COLORADO PARTY BUT ALSO ENJOYS STRONG SUPPORT FROM THE ARMY. PARAGUAY HAS A REPUBLICAN FORM OF GOVERNMENT BUT DEMOCRATIC INSTITUTIONS HAVE NEVER DEVELOPED. FOR THE LAST 49 YEARS, A SERIES OF GOVERNMENTS HAS INVOKED CONSTITUTIONAL PROVISIONS FOR A STATE OF SIEGE TO SUSPEND CONSTITUTIONAL GUARANTEES OF HUMAN RIGHTS, WITH THE SINGLE EXCEPTION OF ONE SIX-MONTH PERIOD DURING 1947. SINCE 1954, PRESIDENT OF THE REPUBLIC GENERAL ALFREDO STROESSNER HAS SUCCEEDED HIMSELF FIVE TIMES, HIS LATEST FIVE YEAR TERM HAVING BEGUN ON AUGUST 15, 1978 FOLLOWING ELECTIONS LAST FEBRUARY. THE GOVERNMENT IS CIVILIAN IN NATURE, ALTHOUGH BOTH ACTIVE AND RETIRED MILITARY HOLD POSITIONS IN VARIOUS MINISTRIES, AND CONSISTS OF THREE BRANCHES: EXECUTIVE, LEGISLATIVE AND JUDICIAL. HOWEVER, NEITHER THE LEGISLATIVE NOR JUDICIAL BRANCH IS ABLE TO

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EXERT A CHECK AGAINST THE EXECUTIVE WHICH THEREFORE EXERCISES UNTRAMMELED POWER OVER THE STATE. THE PARAGUAYAN GOVERNMENT IS PROUD OF ITS ANTI-COMMUNIST CREDENTIALS AND SEES ITSELF AS ONE OF THE TARGETS OF AN INTERNATIONAL COMMUNIST CONSPIRACY. THE COMMUNIST PARTY IS PROHIBITED BY LAW AND, OVER THE YEARS, ALLEGED COMMUNIST PARTY MEMBERS OR SYMPATHIZERS HAVE BORNE THE BRUNT OF OFFICIAL REPRESSION.

ONE OF THE MAIN REASONS FOR HUMAN RIGHTS VIOLATIONS IN PARAGUAY, ACCORDING TO THE INTERNATIONAL LEAGUE OF HUMAN RIGHTS, IS THE GOVERNMENT'S INABILITY OR UNWILLINGNESS TO DISTINGUISH BETWEEN LEGITIMATE DEMOCRATIC OPPOSITION AND SUBVERSION. AS A RESULT, ONLY TOKEN OPPOSITION PARTIES ARE NOW OFFICIALLY RECOGNIZED AND ANY EFFECTIVE POLITICAL OPPOSITION TO THE GOVERNMENT MAY BE SEEN AS SUBVERSIVE AND MET BY REPRESSION OR SEVERE HARASSMENT.

THE PARAGUAYAN GOVERNMENT LEANS STRONGLY TOWARD A LAISSEZ-FAIRE ECONOMIC POLICY WITH LITTLE INDINATION ON THE PART OF THE GOVERNMENT TO INTERVENE IN THE MARKET ECONOMY OR TO TAKE PART IN FURTHERING SOCIAL WELFARE. PARAGUAY'S LONG STAGNANT DOMESTIC ECONOMY HAS GROWN RAPIDLY SINCE 1972 DUE TO SHARP INCREASES IN NON-TRADITIONAL AGRICULTURAL EXPORTS SUCH AS COTTON, SOYBEANS AND FOREST PRODUCTS AND TO AN INFLUX OF FOREIGN CAPITAL RELATED TO CONSTRUCTION OF THE GIANT ITIPU HYDRO-ELECTRIC PROJECT ON THE PARANA RIVER WHICH BRAZIL AND PARAGUAY ARE BUILDING AS A JOINT VENTURE. THIS RAPID AND UNPRECEDENTED FINANCIAL GROWTH HAS LED TO AN INCREASED LEVEL OF OFFICIAL CORRUPTION AND A NUMBER OF EMBEZZLEMENT SCANDALS AS WELL AS WIDSPREAD CHARGES OF HEAVY RAKE-OFFS ON OFFICIAL CONTRACTS, TO LAND FRAUD AND TO FALSE IMPRISONMENT OF COMPETITORS FOR PERSONAL GAIN. ANOTHER ELEMENT OF ABUSE IS THE PARAMOUNT POSITION OF THE OFFICIAL COLORADO PARTY WHICH ENABLES IT TO TAKE ADVANTAGE OF PARAGUAY'S ECONOMIC AND EDUCATIONAL INSTITUTIONS FOR PARTY OBJECTIVES. INCREASINGLY, PARAGUAYANS MUST JOIN THE PARTY IN ORDER TO GAIN ACCESS TO ECONOMIC AND SOCIAL LIMITED OFFICIAL USE

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ADVANTAGES.

PARAGUAY IS SOMETHING OF A FRONTIER SOCIETY WITH A HISTORY OF WARS, REBELLIONS AND COUPS THAT STRETCHES BACK A CENTURY AND A HALF. IN THE LAST SEVERAL DECADES, IS HAS KNOWN RELATIVE SOCIAL TRANQUILLITY AND A MEASURE OF ECONOMIC PROGRESS UNDER A STRONGLY AUTHORITARIAN GOVERNMENT. HUMAN RIGHTS WERE LITTLE RESPECTED UNTIL RECENTLY, WHEN INTERNATIONAL CRITICISM AND DOMESTIC DISSENT COMBINED TO ELICIT A CHANGE IN OFFICIAL BEHAVIOR. GOOD PROGRESS TOWARD GREATER RESPECT FOR HUMAN RIGHTS HAS BEEN MADE IN PARAGUAY IN THE LAST YEAR. BUT MUCH REMAINS TO BE DONE. THE INTERNATIONAL COMMUNITY IS WAITING ANXIOUSLY FOR PARAGUAY TO HONOR ITS LONGSTANDING INVITATION AND FULFILL ITS PLEGE TO THE VIII GENERAL ASSEMBLY OF THE ORGANIZATION OF AMERICAN STATES TO PERMIT A VISIT BY THE INTER-AMERICAN HUMAN RIGHTS COMMISSION.

2. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING  
FREEDOM FROM:

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TO SECSTATE WASHDC 3955

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A. TORTURE.

REPORTS OF POLICE TORTURE HAVE DECREASED CONSIDERABLY IN THE PAST YEAR WITH ONLY TWO KNOWN CASES SINCE JANUARY 1978. METHODS USED IN THE PAST AND IN THESE TWO CASES WERE SEVERE BEATINGS AND SUBMERSION ALMOST TO THE POINT OF ASPHYXIATION IN A TUB OF WATER KNOWN AS THE "PILETA" OR SWIMMING POOL. THESE TORTURES WERE INTENDED TO EXTRACT CONFESSIONS OF GUILT.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.

SUCH TREATMENT IS THE RULE RATHER THAN THE EXCEPTION ACCORDING TO LARGE NUMBERS OF PRISONERS WHO HAVE BEEN INTERVIEWED FOLLOWING DETENTION. THE PARAGUAYAN POLICE REOTINELY USE BLOWS WITH A TRUNCHEON OR FISTS, ENFORCED STANDING FOR LONG PERIODS OF TIME, WITHHOLDING OF FOOD, LENGTHY ISOLATION, VERBAL ABUSE AND THREATS AGAINST BOTH THE DETAINEE AND HIS FAMILY.

C. ARBITRARY ARREST OR IMPRISONMENT.

THE NUMBER OF PERSONS INCARCERATED WITHOUT CHARGES HAS DROPPED SHARPLY IN THE PAST YEAR. THERE WERE APPRXIMATELY 180 SUCH PRISONERS AT THE END OF JANUARY 1978. BY SEPTEMBER 1, THE TOTAL HAD BEEN REDUCED TO APPROXIMATELY 20. THE POLICE CONTINUE TO  
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ARREST PERSONS ARBITRARILY, HOWEVER, AND MOST ARE HELD FROM 24 TO 48 HOURS. THREATS OR ABUSE ARE EMPLOYED

AGAINST DETAINEES DURING THIS PERIOD, EITHER TO FORCE POLITICAL CONFORMITY OR TO EXTORT MONEY. HABEAS CORPUS AND RIGHT TO COUNSEL ARE SUSPENDED UNDER THE STATE OF SIEGE WHICH HAS BEEN IN FORCE SINCE 1947 BUT WAS LIFTED LAST MAY EVERYWHERE BUT IN ASUNCION. UNLESS IT IS LIFTED THROUGHOUT THE COUNTRY, THE COURTS HAVE HELD IT CAN BE APPLIED COUNTRY-WIDE EVEN THOUGH IN FORCE ONLY IN ONE AREA.

D. DENIAL OF FAIR PUBLIC TRIAL.

THE GREATEST HUMAN RIGHTS GAINS IN 1978 HAVE BEEN MADE IN THE AREA OF PUBLIC TRIAL. SINCE LATE 1977, THOSE ACCUSED OF POLITICAL CRIMES HAVE BEEN TURNED OVER TO JUDICIAL PROCESSING AND HAVE BEEN DEALT WITH MORE RAPIDLY. LEGAL PROCEEDINGS ARE FULLY REPORTED IN THE PRESS AND HAVE USUALLY BEEN IN ACCORD WITH CONSTITUTIONAL PRINCIPLES, EVEN THOUGH EXECUTIVE INFLUENCE HAS EVIDENTLY CONTINUED TO BE PARAMOUNT. FORMERLY, POLITICAL PRISONERS WERE OFTEN HELD FOR INDEFINITE PERIODS OF TIME. APPROXIMATELY 20 SUCH PRISONERS ARE STILL UNDER DETENTION, MOST FOR MORE THAN TWO YEARS AND TWO FOR UP TO 14 YEARS WITHOUT TRIAL.

3. INVASION OF THE HOME.

IN A FEW CASES THE POLICE HAVE ENTERED HOMES, ARRESTED POLITICAL OPPONENTS, AND IMPOUNDED THEIR PROPERTY, USUALLY ON THE PRETEXT OF REMOVING IT AS EVIDENCE. STATE OF SIEGE PROVISIONS SUSPEND THE LEGAL REQUIREMENT FOR A JUDICIAL ORDER TO CARRY OUT SUCH SEARCHES. ONLY TWO OR THREE REPORTS OF THIS TYPE OF POLICE ABUSE HAVE BEEN MADE DURING 1978.

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3. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION. WITHIN THE FRAMEWORK OF ITS GENERAL LAISSEZ-FAIRE APPROACH TO ECONOMIC AND SOCIAL QUESTIONS, THE GOVERNMENT DOES ENCOURAGE EFFORTS TO FULFILL BASIC HUMAN NEEDS THROUGH PRIVATE ORGANIZATIONS SUCH AS THE COLORADO PARTY, MISSIONARY ORGANIZATIONS OR THE PARAGUAYAN CATHOLIC CHURCH. MALDISTRIBUTION OF INCOME IS NOT BEING RELIEVED BY THE GOVERNMENT'S GENERALLY REGRESSIVE TAX POLICY. NEVERTHELESS, ECONOMIC ANALYSIS INDICATES THAT THE GOVERNMENT IS NOW DIRECTING INCREASING AMOUNTS INTO RELIEF OF POVERTY, DISEASE AND IGNORANCE. AS A RESULT, AND DUE TO RISING ECONOMIC LEVELS, PARAGUAY RATES HIGH IN THESE AREAS BY THE STANDARDS OF OTHER THIRD WORLD UNDERDEVELOPED COUNTRIES.

4. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY.

(1) GIVEN THE OFFICIAL PROPENSITY TO CONSIDER ALL OPPOSITION SUBVERSIVE, ABUSES ARE SERIOUS IN THE PROTECTION OF POLITICAL RIGHTS. AFFILIATES OF THE COLORADO PARTY RECEIVE SPECIAL TREATMENT WHILE MOST OTHER CITIZENS ARE DENIED ACCESS TO ECONOMIC AND SOCIAL BENEFITS AND OFTEN FIND THEMSELVES SUBJECTED TO OFFICIAL HARRASSMENT, INCLUDING THREATS OF PHYSICAL ABUSE, IMPRISONEMENT, AND FORCED EXILE.

(2) IN THE PAST YEAR FREEDOM OF THE PRESS HAS MADE REMARKABLE GAINS. THE INDEPENDENT PRESS IS NOW ABLE TO PROVIDE COMPLETE REPORTING OF OPPOSITION CRITICISM OF THE GOVERNMENT, INCLUDING ALLEGED HUMAN RIGHTS VIOLATION. THE OPPOSITION PRESS HAS REEEMERGED AND NOW IS ABLE TO CIRITICIZE THE GOVERNMENT ON ALL FRONTS.

(3) IN PARAGUAY TRADITIONALLY THERE IS A HIGH TOLERATION OF RELIGIOUS FREEDOM AND ALL DENOMINATIONS ARE ALLOWED TO OPERATE FREELY. HOWEVER, THE GOVERNMENT SUSPECTS THE SOCIAL ACTION LIMITED OFFICIAL USE

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PROGRAMS OF SOME RELIGIOUS ORGANIZATIONS WHICH HAVE CONSEQUENTLY BEEN SUBJECTED TO HARRASSMENT OR OFFICIAL DISAPPROVAL OF PROGRAMS. THIS APPLIES TO ALL RELIGIONS EQUALLY.

(4) THE GOVERNMENT HAS CURTAILED SEVERELY FREEDOM OF ASSEMBLY FOR NONCOOPERATIVE POLITICAL GROUPS, ESPECIALLY OF UNRECOGNIZED OPPOSITION PARTIES, UNDER THE STATE OF SIEGE PROVISIONS. UNIVERSITY AUTHORITIES CANCELLED A HUMAN RIGHTS CONFERENCE WHEN IT BECAME KNOWN THAT COLORADO PARTY ELEMENTS PLANNED TO BREAK UP THE MEETING. ON THE OTHER HAND, THE THREE POLITICAL GROUPINGS WHICH FORM AN OPPOSITION UNITED FRONT HELD AN ANTI-GOVERNMENT MEEING IN SEPTEMBER WITHOUT OFFICIAL INTERFERENCE.

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INFO OCT-01 ISO-00 ONY-00 /016 W  
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B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND  
EMIGRATION.

ACCORDINT TO THE CONSITITUTION, ALL PERSONS CAN TRAVEL FREELY WITHIN  
THE COUNTRY. VALID IDENTIFICATION DOCUMENTS ARE SOMETIMES REQUIRED  
AT CHECKPOINTS IN REMOTE AREAS. FOREIGN TRAVEL AND EMIGATION  
ARE NOT LEGALLY RESTRICTED. HOWEVER, ON MANY OCCASIONS  
IN THE PAST YEAR, POLICE OFFICIALS HAVE REFUED TO ISSUE  
IDENTIFICATION DOCUMENTS AND PASSPORTS TO FORMER POLITICAL  
PRISONERS OR TO PERSONS KNOWN TO BE OPPOSED TO THE GOVERNMENT.  
THIS ACTION IS USED TO HARASS OPPOSITION  
ELEMENTS, LIMIT THEIR ABILITY TO COMMUNICATE WITH COLLEAGUES ABROAD  
OR EXTORT MONEY FROM ORDINARY CITIZENS WITHOUT INFLUENCE. SUCH  
DENIALS CONSTITUTE A DE FACTO DENIAL OF THESE FREEDOMS.

C. FREEDOM TO PARTICIPAE IN THE POLITICAL PROCESS.

ONLY OFFICIAL COLORADO PARTY MEMBERS ARE FREE TO PARTICIPATE  
FULLY IN THE POLITICAL PROCESS AND THEN ONLY IF THEIR ACTIONS  
ARE FULLY IN COMPLIANCE WITH ORDER OF THE PARTY'S HIGH COMMAND.  
THE GOVERNMENT-CONTROLLED CENTRAL ELECTION COMMISSION RECOGNIZED  
MINORITY ELEMENTS OF THE RADICAL LIBERAL AND LIBERAL PARTIES AS  
THE ONLY GROUPS ELEGIBLE FOR PARTICIPATION IN THE  
FEBRUARY 1978 GENERAL ELECTIONS, THUS EFFECTIVELY BARRING PARTICI-  
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PATION TO A MAJORITY OF THESE TWO TRADITIONAL PARTIES. OTHER  
THAN THE SMALL OFFICIALLY-RECOGNIZED FEBRERISTA PARTY, WHICH CHOSE  
NOT TO PARTICIPATE IN THE ELECTIONS, ONLY MALLEABLE OPPOSITION  
ELEMENTS WERE ALLOWED TO TAKE PART IN THE ELECTORAL CAMPAIGN AND  
THEN, ONLY AT THE PRICE OF COLLABORATION WITH THE GOVERNMENT. THE  
ELECTION COMMISSION HAS DENIED A REQUEST BY THE CHRISTIAN DEMOCRATS  
FOR RECOGNITION AS A POLITICAL PARTY.

D. GOVERNEMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL  
AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATION OF  
HUMAN RIGHTS.

IN PRINCIPLE THE GOVERNEMT CONSIDERS INTERNATIONAL AND  
NON-GOVERNMENTAL INVESTIGATION OF ALLEGED HUMAN RIGHTS  
VIOLATIONS AS INTERVENTION IN PARAGUAY'S INTERNAL AFFAIRS  
BUT IT HAS COOPERATED WITH THESE GROUPS ON SOME OCCASIONS

IN THE PAST AND IT NEVER BROKE OFF DIRECT COMMUNICATION. AS NOTED, THE PARAGUAYAN GOVERNMENT IN 1977 PUBLICLY AGREED TO PERMIT AN ON-SITE VISIT BY THE INTER-AMERICAN HUMAN RIGHTS COMMISSION TO INVESTIGATE ALLEGED ABUSES AND REITERATED THE

PLEDGE IN JUNE AT THE OAS GENERAL ASSEMBLY, WHICH PASSED A RESOLUTION CALLING ON PARAGUAY TO RECEIVE THE COMMISSION. HOWEVER, THE GOVERNMENT HAS NOT YET NEGOTIATED THE TIMING OF THE VISIT. WHICH HAS RESULTED IN WIDESPREAD CRITICIS. THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS HAS SENT TWO GROUPS TO PARAGUAY IN THE PAST FOUR YEARS. REPRESENTATIVES OF THE INTERNATIONAL RED CROSS MAKE PERIODIC VISITS TO VERIFY THE CONDITIONS UNDER WHICH POLITICAL PRISONERS ARE HELD. THE PARAGUAYAN GOVERNMENT NOW ANSWERS REQUESTS FOR INFORMATION ON ALLEGED HUMAN RIGHTS VIOLATIONS FROM INTERNATIONAL INSTITUTIONS. IN THE PAST, IT REFUSED TO MAKE ANY RESPONSE.

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## Message Attributes

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**Copy:** SINGLE  
**Draft Date:** 11 sep 1978  
**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Original Classification:** LIMITED OFFICIAL USE  
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**Previous Handling Restrictions:** ONLY  
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**Retention:** 0  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Secure:** OPEN  
**Status:** NATIVE  
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**TAGS:** SHUM, PA  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/2677e852-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014